

## § 701.83

claim is filed. False information or false claims include a claim for payment for a practice not carried out or for practices which do not meet the required specifications. Any amounts paid under these circumstances shall be refunded and any amounts otherwise due the person shall be withheld. The withholding or refunding of cost-shares will be in addition to any other penalty or liability otherwise imposed by law.

### **§ 701.83 Cost-shares not subject to claims.**

Any cost-share or portion thereof due any person shall be allowed without regard to questions of title under State law, and without regard to any claim or lien against the crop, or proceeds thereof, in favor of the owner or any other creditor except agencies of the U.S. Government. The regulations issued by the Secretary governing set-offs and withholdings, part 13 of this title, as amended, shall be applicable to these programs.

### **§ 701.84 Assignments.**

Any person who may be entitled to any cost-share under these programs may assign the right thereto, in whole or in part, in accordance with the regulations governing the assignment of payments at 7 CFR part 709.

### **§ 701.85 Environmental considerations.**

All actions implemented under the programs in this part shall be in compliance with regulations issued as part 799—Environmental Quality and Related Environmental concerns which includes the procedures for complying with the National Environmental Policy Act, for Floodplain Management and Wetland Protection and for other environmental concerns.

### **§ 701.86 Information collection requirements.**

Information collection requirements contained in this part have been approved by the Office of Management and Budget under the provisions at 44 U.S.C. Chapter 35 and have been assigned OMB Numbers 0560-0078, 0560-0079, and 0560-0082.

[54 FR 41819, Oct. 12, 1989]

## 7 CFR Ch. VII (1–1–98 Edition)

## **PART 702—COLORADO RIVER BASIN SALINITY (CRSC) CONTROL PROGRAM**

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AUTHORITY: Sec. 201, Pub. L. 93-320, 88 Stat. 271; Sec. 2, Pub. L. 98-569, 98 Stat. 2933 (43 U.S.C. 1592(c)).

SOURCE: 52 FR 16741, May 5, 1987, unless otherwise noted.

### **§ 702.1 General.**

The regulations in this part set forth the terms and conditions of the Colorado River Salinity Control (CRSC) Program authorized by section 202 of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592) (the Act). Under the Act the Secretary is authorized to:

- (a) Identify salt-source areas in the Colorado River Basin;
- (b) Develop plans for implementing conservation measures that will reduce the salt load in the Colorado River, including the voluntary replacement of

incidental fish and wildlife values foregone;

(c) Share the cost of establishing such conservation measures and practices;

(d) Provide technical assistance;

(e) Monitor and evaluate changes in salt contributions to the Colorado River; and

(f) Carry out related research, demonstration and education activities.

#### § 702.2 Definitions.

(a) The following definitions shall be applicable for the purposes of this part:

(1) *Applicant* means an entity who has offered to enter into a CRSC Contract in accordance with the provisions of this part;

(2) *Actual cost* means the direct costs of establishing a salinity reduction practice, and includes the cost of labor, supplies, and other necessary activities;

(3) *Average cost* means the cost, determined by averaging actual costs and current cost estimates, considered to be necessary for a participant to carry out a salinity reduction practice, a designated component of a salinity reduction practice, or a system of practices;

(4) *Conservation District* (CD) means a subdivision of a State organized pursuant to applicable State law. The term includes bodies variously known in the States as conservation district, soil conservation district, soil and water conservation district, natural resource district, resource conservation district, or natural resource conservation district;

(5) *Components* means measurable units of a salinity reduction practice which, when completed by the program participant, can be certified by the Soil Conservation Service (SCS) as reasonable, identifiable progress toward completion of the practice with respect to which cost-share payment is being made under the CRSC program;

(6) *Conservation treatment* means the combination of salinity reduction practices that will provide the salinity control treatment required to reduce seepage and improve irrigation water management in order to achieve the projected salt load reductions indicated in the applicable published USDA Salinity Control Report. Such treatment

may include replacement of incidental fish and wildlife values foregone as a result of salinity control treatment applied by the participant under the CRSC program.

(7) *CRSC Contract* means the contract including the salinity control plan, entered into in writing between the local Agricultural Stabilization and Conservation Committee (COC) and the participant which sets forth the terms and conditions for participation in the CRSC Program established in accordance with this part.

(8) *Cost-effective* means maximization of the CRSC Program on-farm and off-site benefits at the least Federal cost per unit of salinity reduction.

(9) *Cost-share assistance* means the providing of financial resources to assist program participants in establishing conservation treatment identified in participants' contracts;

(10) *Cost-share rate* means a fixed amount of cost-share funds paid per unit for carrying out certain salinity reduction practices.

(11) *Deputy Administrator* means the FSA Deputy Administrator for State and County Operations, or designee.

(12) *Entity* means an individual or group of individuals, Indian tribe, partnership, firm, joint-stock company, corporation, association, trust, estate, irrigation district/company, or other public or nonpublic entity (except federal agencies), and wherever applicable, a State, a political subdivision of a State, or any agency thereof;

(13) *Fish and wildlife values foregone* means incidental fish and wildlife habitats that may be affected adversely by salinity reduction practices applied by the program participant;

(14) *Irrigation district/company* means a group of individuals (private or public) associated together in a locality, that has a vested interest in the operation of an irrigation distribution system that serve as a specific area. This definition includes irrigation districts, mutual water companies or districts, water conservancy districts, canal companies, and other similar entities;

(15) *Lifespan* means the period of time during which a salinity reduction practice is expected to effectively achieve